

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD)(SN) ECF Case

**{PROPOSED} ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS
ON BEHALF OF BURNETT PLAINTIFFS UNDER 28 U.S.C. § 1605A(c)**

(BURNETT XXXII)

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A and B to this Order, plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit A), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 (as identified on Exhibit B), and the Judgment by Default for liability only against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran (collectively, the “Iran Defendants”) entered on January 31, 2017 (15-cv-9903, ECF No. 85), together with the entire record in this case, it is hereby;

ORDERED that service of process was effected upon the Iran Defendants in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;

ORDERED that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit B, who are each a spouse, parent, child, or sibling (or the estate

of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit B, and it is

ORDERED that Plaintiffs identified in Exhibit A are awarded: solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibit B; and it is

ORDERED that partial final judgment is entered against the Iran Defendants and on behalf of the Plaintiffs in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), as identified in the attached Exhibit B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in Exhibit B, and it is

ORDERED that Plaintiffs identified in Exhibit B are awarded: compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in Exhibit B (to the extent not previously so awarded); and it is

ORDERED that Stan V. Smith is qualified as an expert to opine on the economic losses of those decedents included on Exhibit B who are seeking economic-loss damages in this motion; and it is

ORDERED that opinions of Plaintiffs' expert Stan V. Smith are accepted and those estates for whom economic-loss damages are sought on Exhibit B are awarded the damages as set forth on Exhibit B as supported by the reports and analyses provided by Plaintiffs' expert; and it is

ORDERED that Plaintiffs identified in Exhibits A and B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is

ORDERED that Plaintiffs identified in Exhibits A and B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not

previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is

ORDERED that the remaining *Burnett* Plaintiffs not appearing on Exhibits A or B, may submit in later stages applications for damages awards, and to the extent they are for solatium or by estates for compensatory damages' for decedents' pain and suffering from the September 11 attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing on Exhibits A and B.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 9985 in 03-MDL-1570 (GBD)(SN) and ECF No. 763 in 15-cv-9903 (GBD)(SN).

Dated: New York, New York

SO ORDERED:

_____, 2024

GEORGE B. DANIELS
United States District Judge